United Nations E/C.19/2010/8

Economic and Social Council

Distr.: General
25 January 2010

Original: English

Permanent Forum on Indigenous Issues
Ninth session
New York, 19-30 April 2010
Item 6 of the provisional agenda*
Comprehensive dialogue with six United Nations agencies and funds

Report of the Inter-Agency Support Group on Indigenous Issues

Submitted by the United Nations Environment Programme and the United Nations Human Settlements Programme

Summary

The 2009 meeting of the Inter-Agency Support Group on Indigenous Issues was convened in Nairobi from 28 to 30 September 2009 and hosted by the United Nations Environment Programme and the United Nations Human Settlements Programme. The main themes included indigenous rights and challenges in Africa, such as the effects of climate change, and preparations for the 2010 section of the Permanent Forum on Indigenous Issues, including the development of a common Support Group reflection paper on development with culture and identity.

* E/C.19/2010/1.

10-21807 (E) 160210

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I. Introduction

A. Meeting objectives

1. The objectives of the 2009 meeting of the United Nations Inter-Agency Support Group on Indigenous Issues were to:

(a) Consider relevant recommendations to the Group and to the Permanent Forum on Indigenous Issues, including with regard to the in-depth dialogues, and planned contributions to the Forum's 2010 session, such as the common reflection paper on development with culture and identity, to be drafted for the upcoming session;

(b) Provide insight into the situation of indigenous rights in the African region, through presentations by various indigenous peoples, including the Working Group on Indigenous Populations and Communities of the African Commission on Human and Peoples' Rights and the Kenya National Commission on Human Rights;

(c) Present case studies on indigenous peoples in the context of climate change, pastoralism and mobility.

2. The Resident Coordinator for Kenya addressed the meeting on ways to establish mechanisms for engagement and communication with indigenous peoples, so that their participation in United Nations processes such as the common country assessment and the United Nations Development Assistance Framework and in project formulation and implementation could be institutionalized, thereby ensuring transparency and inclusion.

B. Participation and attendance

3. The meeting was attended by 15 United Nations organizations and four members of the Permanent Forum on Indigenous Issues, namely Lars-Anders Baer, Margaret Lokawua, Hassan Id Balkassm and Liliane Muzangi Mbela. Twelve speakers and special guests were invited to participate in the first half of the three-day meeting.

C. Official opening

4. Opening statements were delivered by the Deputy Executive Director of the United Nations Environment Programme (UNEP); the Chief of the Housing Policy Section, United Nations Human Settlements Programme (UN-Habitat) Shelter Branch, on behalf of the Executive Director of UN-Habitat; Ms. Margaret Lokawua, on behalf of the members of the Permanent Forum on Indigenous Issues; the secretariat of the Permanent Forum on Indigenous Issues; and the United Nations Educational, Scientific and Cultural Organization (UNESCO), the outgoing Chair of the Inter-Agency Support Group.

5. The Deputy Executive Director of UNEP stressed the importance of the current meeting in terms of recognition of, and respect for, indigenous peoples' cultures. She outlined efforts by UNEP to promote indigenous peoples' issues and their active involvement in the UNEP Governing Council/Global Ministerial Environment Forum and to develop guidelines on how issues related to indigenous peoples could

be more effectively reflected in the Programme's policies and activities. She highlighted the importance of the United Nations Declaration on the Rights of Indigenous Peoples, which represented a major benchmark in the advancement of indigenous peoples' issues within the United Nations system.

6. The Deputy Executive Director drew attention to important upcoming high-level events in the areas of biodiversity, climate change and forests that presented a significant opportunity for indigenous peoples. The designation of 2010 as the International Year of Biodiversity was particularly significant for indigenous peoples, in view of their historical contribution to conserving biodiversity. The designation of 2011 as the International Year of Forests indicated how high the issue of forests had risen on the political agenda, a fact also reflected in the United Nations Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries (the UN-REDD Programme), where representatives of indigenous peoples served on the Policy Board.

7. In his statement, the Chief of the Housing Policy Section of UN-Habitat said there was an urgent need to impress upon Governments, local authorities and the private sector the importance of creating inclusive spaces in which all peoples had a sense of belonging. He pointed out that a third major trend, namely urbanization, should be added to the two major trends prevalent in the current world, namely globalization and the information revolution. The accelerated migration of indigenous peoples to urban areas owing, inter alia, to climate change, was creating problems in both developed and developing countries, with many forced to endure inadequate living conditions and disregard for their human rights.

8. He highlighted the need to provide access, for indigenous peoples, to culturally appropriate education, decent employment and water and sanitation, adding that indigenous women and youth were disproportionately affected. In conclusion, he stressed that the needs of indigenous peoples needed to be factored into urban design and planning and, in that context, reaffirmed the commitment of UN-Habitat to the inter-agency drive to improve the living conditions of indigenous peoples in urban areas worldwide.

9. The representative of UN-Habitat officially launched the *UN-Habitat Policy Guide to Housing for Indigenous Peoples in Cities*. The Policy Guide initiative, spearheaded by UN-Habitat, added an urban component to the more generic Guidelines on Indigenous Peoples' Issues, developed by the United Nations Development Group Task Team to mainstream and integrate indigenous issues in United Nations operational activities. The initiative aimed to provide much-needed guidance to policymakers, urban managers and practitioners on indigenous peoples' needs and specific challenges. It was expected to serve as a guide to local and national governments on possible measures, particularly policies, legislation and consultative, participatory mechanisms, for realizing indigenous peoples' rights in urban areas. The Policy Guide series covered the thematic areas most relevant to the improvement of urban indigenous peoples' living conditions, with a special focus on gender, youth and environmental issues. The series would help to positively influence Government policy, as it related to the living conditions of indigenous peoples in towns and cities.

10. The representative of UN-Habitat invited the Support Group to participate in the fifth session of the World Urban Forum, which would be held in Rio de Janeiro,

Brazil in March 2010. A special session on indigenous peoples' issues in urban areas would be organized.

11. In her statement, Ms. Lokawua noted that the Group's work was an important avenue for implementing the standards of the United Nations Declaration on the Rights of Indigenous Peoples and bringing indigenous peoples and United Nations organizations together in partnership. She called for greater awareness of indigenous peoples' issues among United Nations staff, senior management and governing bodies; the popularization of the United Nations Development Group Guidelines on Indigenous Peoples' Issues was key in that regard. The training of United Nations country teams was of particular importance and it was hoped that country teams in the African region would volunteer for such training. In closing, she emphasized the importance of considering the contribution of the diverse identities of the African peoples to Africa as a whole.

12. The secretariat of the Permanent Forum on Indigenous Issues welcomed the International Land Coalition as a member of the Support Group and reviewed highlights of the Forum's eighth session. A number of the Permanent Forum's recommendations were outlined, as well as studies that would be undertaken by the Permanent Forum's special rapporteurs on issues of particular importance. Inputs to that work were welcomed. It was also noted that capacity-building, including training for specific country teams, was an important feature of the action plan for the United Nations Development Group Guidelines on Indigenous Peoples' Issues.

13. The representative of UNESCO noted that the theme of indigenous peoples' issues was also at the heart of it mandate, specifically with respect to the promotion of development with culture and identity. Some of the events of the preceding year were outlined, as they had laid the groundwork for the Support Group's reflection paper on indigenous peoples' issues in the context of globalization and climate change. The representative was pleased that the current meeting focused on the rights of indigenous peoples in Africa and welcomed it as a capacity-building opportunity.

D. Agenda and organization of work

14. After the official opening, a panel discussion was held on the situation of indigenous peoples' rights in Africa, during which presenters introduced the challenges facing African indigenous peoples as well as the available tools and the research being carried out to address their situation in a more effective and informed manner. This was followed by a discussion with the Resident Coordinator for Kenya on the issues of indigenous peoples in that country and by presentations of field and project experiences involving work with indigenous peoples, including options for future cooperation among the Permanent Forum on Indigenous Issues, the Support Group and country teams on indigenous peoples' issues. The second day was devoted to the special case of climate change and population movements, the UN-REDD Programme and black carbon assessments. A special report on thematic presentations given at the Support Group meeting is included in the annex to conference room paper E/C.19/2010/CRP.2.

II. Feedback on the eighth session of the Forum and preparations for the ninth session

15. The Permanent Forum has incorporated an in-depth dialogue with six United Nations organizations into its sessions. The following agencies took part in the dialogue at the eighth session: the Office of the United Nations High Commissioner for Human Rights (OHCHR), the International Fund for Agricultural Development (IFAD), the United Nations Development Programme (UNDP), the Food and Agriculture Organization of the United Nations (FAO), the Department of Economic and Social Affairs of the Secretariat and the United Nations Population Fund (UNFPA).

16. The purpose of the in-depth dialogue was to enhance the understanding of Permanent Forum members, indigenous peoples and Governments of the challenges and opportunities faced by United Nations organizations in discharging their mandates, especially those related to indigenous peoples. A number of organizations that participated in the dialogue had sent high-level representatives to the eighth session, which demonstrated their commitment to the Permanent Forum. The dialogue between the Permanent Forum and the representatives was positive.

17. During the ensuing discussion, a number of representatives said that the first in-depth dialogue had been a useful exercise. It had resulted in a dynamic meeting for which the organizations had prepared well and had ensured greater engagement on their part in the future. Feedback from indigenous peoples' organizations indicated that, for them, the dialogue had served as a form of capacity-building, because they were made aware of the mandates and functions of the organizations.

18. The New York-based organizations had sent significant delegations of senior managers, while others had sent focal points and directors and had invited the participation of indigenous peoples. Organizations attending future in-depth dialogue sessions should be clear about what they were seeking to achieve and the messages to be conveyed to indigenous peoples. The attendance of directors and focal points facilitated spontaneous exchanges of information, while the attendance of senior managers ensured their engagement and raised the profile within their respective organizations regarding indigenous peoples' issues.

19. In order to enhance future dialogues, it was considered that might be useful to prioritize indigenous peoples' interventions. This would also ensure greater understanding on the part of United Nations organizations, particularly with respect to issues that are of special importance to them.

20. To limit the number of documents submitted by organizations, the secretariat of the Permanent Forum produced a summary compilation of the reports by the organizations that were not involved in the in-depth dialogue and posted the full reports on its website.

21. It was suggested that the six organizations participating in the ninth session should consider how they might work on the implementation of the United Nations Declaration on the Rights of Indigenous Peoples, with special focus on article 41, and make a presentation on that topic. It was stressed that, in order to improve the situation of indigenous peoples on the ground, it was important to present plans or programmes for the following years and improve dialogue at the national level among indigenous peoples, Governments and United Nations country teams.

22. Other suggestions were made regarding how to optimize the time available for in-depth dialogues, including by focusing on fewer and more specific issues and by ensuring that all participants were well briefed. It was suggested that the Permanent Forum members should base some of their observations on the organizations' reports, which were extremely useful and informative. It was acknowledged that there were still shortcomings in the in-depth dialogue system; however, those would be remedied over time. Another view was that the concept of the dialogue should be rethought as a two-way process in which questions and answers were exchanged between the two sides. Participants stressed the importance of ensuring that indigenous peoples' representatives fully understood the processes involved, so that they could effectively use the system to air their concerns.

23. It was mentioned that States reported to the Committee on the Elimination of Discrimination against Women on a regular basis; a similar system could be introduced in the Permanent Forum sessions, especially with respect to the in-depth dialogues. It was considered useful to have Government reports on their engagement with indigenous peoples, when designing projects at the country level. It was suggested that countries could participate in the in-depth dialogue and that the ninth session could include representatives of three United Nations organizations and three States.

24. It was crucial that, as part of the dialogue and to avoid frustration, an explanation should be provided of how programmes were constructed by the United Nations at the country level and what the process involved. This would include an explanation of the common assessment through the United Nations development assistance frameworks, dialogue with Governments and the submission of programmes to executive boards for implementation approval. Countries could be chosen to participate in the dialogue on the basis of their United Nations Development Assistance Framework status.

25. The choice of countries for the in-depth dialogue would depend on certain variables, such as Governments' recognition of and relationships with indigenous peoples. It was important to be open to various possibilities and to make a final decision on the basis of consultation with partners. The importance of organizations reporting on the implementation of the Permanent Forum's recommendations was also stressed.

26. There were a number of views regarding the Permanent Forum's recommendations, including concerns that their time frame was unrealistically short and that a high level of technical support was necessary to ensure effective implementation. The most problematic recommendations were those linked to the mechanisms of the conventions; a system of communications should be set up to ensure that the drafting of recommendations was shared and frequent contact should be maintained among Support Group members, to ensure that any problems in the draft recommendations were promptly resolved. Noting that the various country programmes differed widely in character, it was suggested that Permanent Forum members could be invited to observe those being implemented, to give them first-hand experience of the situation on the ground.

27. Regarding recommendations that were framed in such a way that organizations found them extremely difficult to implement, the organizations might benefit from spending more time with the Permanent Forum and might even provide advice on

the drafting of the recommendations, to ensure they were practicable and fell within individual mandates.

III. Discussion of the tasks and responsibilities of the Inter-Agency Support Group

Follow-up on the implementation of articles 41 and 42 of the United Nations Declaration on the Rights of Indigenous Peoples and on the Forum's special mission to Paraguay and the Plurinational State of Bolivia in 2009

28. The secretariat of the Permanent Forum gave an overview of the implementation of the United Nations Declaration on the Rights of Indigenous Peoples, which was the shared responsibility of all United Nations organizations. A range of activities had been carried out over the preceding two years, including the translation of the Declaration and the promotion of awareness among United Nations staff. The promotion of the Declaration was a fundamental part of the Permanent Forum's work; making it a living document and ensuring its integration in all areas was a stated commitment. Having been specifically mentioned in article 42 of the Declaration as one of the bodies responsible for its promotion and full application, the Permanent Forum had made several recommendations to that end. For example, it had recommended that States should be invited to provide the Forum with substantive information on the implementation of the Declaration and an assessment of its effectiveness at the national and local levels; provide adequate information on the Declaration in their core reports to the human rights treaty bodies; and consult with indigenous peoples with due regard to free, prior and informed consent. It had also made recommendations on securing adequate financial resources and on promoting the integration of the Declaration into policies and strategies. During 2008, the Permanent Forum sought to follow up on the Declaration in other ways, such as working with other organizations to roll out a training module for country teams, developing a training module for indigenous peoples and Government officials through IFAD funding; coordinating and ensuring complementarity of efforts with other United Nations mandates focused specifically on indigenous peoples' issues; making contributions to research; and acting as an advisory group to the Secretary-General in connection with the Trust Fund for the Second Decade.

29. Another highlight was the Permanent Forum's mission to Paraguay and the Plurinational State of Bolivia in April 2009, under article 42 of the Declaration, for the purpose of investigating forced labour among indigenous peoples. It had been a landmark visit, since it was the first time that the Permanent Forum had been invited by Governments to carry out such a mission, with the support of the other organizations concerned. The challenge was to follow up on the recommendations made.

30. During the ensuing discussion, a number of representatives welcomed the above-mentioned mission as an opportunity for the Support Group members to join forces and devise a strategy or workplan; this was needed because the tasks listed in the recommendations were too numerous for one organization. A number of representatives drew attention to work by their organizations in those countries. One member emphasized that forced labour was a major issue for indigenous peoples

and said her organization was scaling up its specialized staff in Peru in response to forced labour in the logging sector.

31. The secretariat of the Permanent Forum welcomed the suggestion of working together in those countries on an inter-agency basis. The Forum had offered training to both country teams and had requested both Governments to report back to the Forum at its ninth session. UNDP in Paraguay had planned to offer workshops on the mission report and to give presentations to the Government and indigenous peoples' organizations, and the International Labour Organization (ILO) in the Plurinational State of Bolivia was working on forming a committee for the implementation of the report.

Follow-up on the review and questionnaire relating to the Second International Decade of the World's Indigenous People

32. The secretariat of the Permanent Forum presented the background to the Second International Decade of the World's Indigenous People declared by the General Assembly in December 2004, which had begun on 1 January 2005. It outlined the five main objectives of the Decade, which included promoting the full and effective participation of indigenous peoples in decisions affecting their lifestyles, territories and cultural integrity; promoting the principle of free, prior and informed consent; and adopting targeted policies, programmes and budgets for the development of indigenous peoples, with particular emphasis on women, children and young people. In 2008, the General Assembly had called for a midterm assessment report to evaluate the achievements of the Second Decade by means of a voluntary questionnaire. The final report with conclusions and recommendations would be presented to the General Assembly in 2010.

33. While some Support Group members had found the questionnaire useful and thought-provoking, it had also been time-consuming. As a generic questionnaire, it had been quite useful, but it had not taken into account the work of specialized agencies and treaty implementation bodies. Organizations could be involved in the design of a similar exercise in the future.

34. Some Support Group members said that much of the in-depth dialogues and the reporting to the Permanent Forum focused on work carried out on indicators and formed part of the monitoring of the United Nations Declaration on the Rights of Indigenous Peoples. Given that resources for monitoring were limited, the monitoring process could be strengthened.

Follow-up on the community of practice on indigenous peoples' issues

35. UNDP elaborated on the proposal to develop a community of practice on indigenous peoples' issues, explaining that it would serve as a tool for communication between practitioners. It would not involve significant resources and would enable country offices to tap into the knowledge of United Nations colleagues on subjects such as human rights, democratic governance and indigenous peoples.

36. The Support Group expressed support for the initiative, but some members expressed reservations with regard to the time it might require. It was pointed out

that UNDP was already involved in that kind of networking. A similar communications platform had been established in Canada and in the Plurinational State of Bolivia by one agency (FAO); the existing platforms could perhaps be used for this purpose.

IV. Preparations for 2010

Presentation of the outline of the reflection paper on development with culture and identity

37. UNESCO presented the outline for the reflection paper on development with culture and identity. Recalling that 2010 had been declared the International Year of Biodiversity and the International Year for the Rapprochement of Cultures, concepts that were key to indigenous peoples' perspective on development, she pointed out that the paper had a dual objective: to contribute to new thinking on the theme of development with culture and identity and to inform thinking in the United Nations system on the concept and its application in the individual and joint work of the various organizations. In conclusion, the planning process of the paper was outlined and its proposed structure reviewed, with the emphasis that contributions would have to be concise.

Proposal for the 2010 Youth Forum and paper on young people's views on development with culture and identity

38. UNICEF described a joint UNFPA, UNICEF and UNDP initiative that was intended to empower young indigenous people and strengthen their participation in the Permanent Forum sessions. Young indigenous people had been extremely active in previous sessions and their participation was vital to ensuring the sustainability of indigenous peoples' gains. It was hoped that there would be a significant number of young indigenous peoples at the forthcoming Permanent Forum session on development with culture and identity. There would be a number of planned UNICEF activities, including providing support to young indigenous people to write their own report on the theme and organizing a preparatory training meeting for young indigenous participants, to enable them to exchange views, build leadership skills, discuss leadership at the global and community levels, familiarize themselves with United Nations human rights instruments and mechanisms, and the work of United Nations organizations, and enhance their participation at the Permanent Forum session.

39. To maintain the initiative's integrity it was important that young indigenous people should be given the opportunity to personally express their views, in a forum where they were respected.

40. Regarding linkages with the joint OHCHR, UNESCO and UNDP Indigenous Fellowship Programme, UNICEF noted that the possibility was being considered; however, there might be a discrepancy between the Programme and the initiative with respect to age ranges. It was stressed that UNICEF was continuing to strengthen its contacts with young indigenous people who attended the Permanent Forum.

41. Suggestions for possible participants in the initiative included the youngest indigenous woman minister, who was in charge of development and came from north-eastern India and two young indigenous girls who had recently been elected to the UNEP Tunza Youth Advisory Council. UNICEF welcomed the suggestions and invited representatives to provide examples of other young leaders who might make presentations to the young indigenous participants.

International Year of Biodiversity

42. The secretariat of the Convention on Biological Diversity gave a detailed overview of events planned for the International Year of Biodiversity, 2010, specifically the public awareness campaign, which aimed to increase the attention paid to biodiversity loss as an important aspect of climate change, encourage the public's discovery of nature and create a sense of optimism that it was not too late to act. A number of key events involving the Convention on Biological Diversity were mentioned, such as the Green Wave tree-planting programme in schools worldwide, and numerous innovative products developed by the secretariat to raise awareness of indigenous peoples and traditional knowledge, including community-based short films, posters in indigenous languages, websites and newsletters with particular appeal to young people.

Initiatives by the Food and Agriculture Organization of the United Nations

43. The representative of FAO gave a brief description of three of the agency's initiatives. The Committee on World Food Security had been reformed and, in future, would offer participants from United Nations organizations and bodies with a mandate related to food security and nutrition and representatives of indigenous peoples, the opportunity of meeting periodically to discuss food security issues and coordinate global efforts to eliminate hunger and ensure food security for all. Indigenous peoples were urged to check the agency's website regularly and apply for membership on the Committee, if interested. Attention was drawn to the World Summit on Food Security, held in Rome from 16 to 18 November 2009. A parallel civil society forum had been held, at which 60 women, 60 indigenous persons, 60 farmers' or rural organizations and 60 young people had been invited to discuss the Declaration and provide inputs to the Summit.

Post-2010 biodiversity targets

44. The UNEP Division of Environmental Law and Conventions drew attention to three of its activities. The first was the development of post-2010 biodiversity targets aimed at reducing biodiversity loss; this was directly linked to indigenous peoples through their role in the use and conservation of biodiversity. The Programme had hosted an informal meeting of experts on the development of the targets in February 2009, followed by a second meeting in October. The second activity concerned biocultural protocols, which were described as documents that recorded a community's biocultural values and asserted its rights to manage, benefit from, protect and use its traditional knowledge, customary laws and values. The

Division was working on developing a biocultural protocols book and a database on the UNEP website, which would include case studies, information tools and records of traditional knowledge; both the book and website had been launched in Montreal in early November 2009. The third activity was a study on multilateral environmental agreements, the law, traditional knowledge and sustainability, which examined the role of multilateral environmental agreements and the law in protecting traditional knowledge and ensuring sustainability. The study would provide recommendations for the reform of legal systems at the international and domestic levels, to enhance the protection of traditional knowledge.

2010 Support Group meeting: discussions on indigenous peoples' health

45. The Support Group welcomed the proposal by the World Health Organization (WHO) to host its annual meeting in Geneva in September 2010 and was pleased that the organization was ready to re-engage, after an absence of several years. WHO was regarded as a key organization and should be invited to take part in the Forum's discussions on the draft agenda for the annual meeting. For its part, the Group's task was to support the preparation of the meeting by the host agency. Since the Group was knowledgeable about indigenous peoples' health issues, particularly women's health, it could be useful to WHO in preparing the meeting.

46. It was proposed that the agenda for the 2010 meeting should not be devoted entirely to indigenous peoples' health, but should include topics relevant to all the organizations. There was also a request to include maternal and infant mortality.

V. Preparations for the Forum's ninth session, in 2010

47. The Support Group took part in discussions on the proposal for a community of practice; the involvement of country-level representatives; and the issue of indicators and monitoring the implementation of the United Nations Declaration on the Rights of Indigenous Peoples. There were questions as to whether the Support Group's terms of reference should be expanded to include country-based and organization focal point involvement or whether the current policy of inviting country representatives to Permanent Forum meetings on an ad hoc basis should continue. It was pointed out that inviting country-level staff would have cost implications. Some organizations had found it extremely valuable to invite regional representatives to meetings; however, such visits could be linked to specific themes and side events.

48. There was a suggestion that the UNDP proposal to establish a community of practice could be extended to include country-based focal points. Participants welcomed the initiative for a community of practice and pointed out that it would not affect the Support Group's dynamics, but would serve as an important way of sharing resources and information.

49. It was proposed that the Permanent Forum secretariat should provide an update on the Forum's 13 current recommendations to the Group. With respect to the new recommendation calling for the establishment of a technical workshop on indicators for the Declaration, it was proposed that a back-to-back meeting should be held with

the Support Group's 2010 meeting, to include representatives from indigenous peoples' groups.

50. Some Group members pointed out that experts on indicators were not always familiar with issues affecting indigenous peoples. Others stated that it was time to look beyond indicators to the area of monitoring and implementation.

51. It was proposed that attempts should be made to re-engage organizations by requesting them to nominate official focal points.

VI. Challenges within United Nations agencies and programmes in developing and implementing guidelines, strategies or policies pertaining to indigenous peoples

World Bank operational policy on indigenous peoples: challenges to implementation in sub-Saharan Africa

52. The World Bank provided the context for its policy on indigenous peoples, which had been in place for some time but had been threatened by the global economic crisis. The Bank's guiding principles in engaging with those most affected were to put people at the centre of development efforts; to do no harm and to provide a way forward; and to ensure maximum accountability. Safeguards were built into every investment, with particular regard for land issues and indigenous peoples. Discussions with indigenous peoples worldwide had revealed that certain issues were particularly challenging, such as the application of the principle of informed consent, as set out in the United Nations Declaration on the Rights of Indigenous Peoples and land tenure issues.

53. The World Bank also focused on the challenges of implementing operational policy in sub-Saharan Africa, given that Africa lagged behind other regions. The actual identification of indigenous peoples was a technical issue; other key factors included collective attachment to land, culture and language. Many peoples had been displaced by war or Government policies but remained covered by the Bank's policy; the only exception was indigenous peoples who had migrated to urban areas for economic reasons. Mandatory requirements for World Bank investment included ratification of ILO Convention No. 169; culturally appropriate benefit to indigenous peoples; recognition of land rights; equitable benefit sharing; and avoidance of physical relocation. The principle of informed consent was applied to every project and no financing was provided without broad community support. Many countries in Africa were successfully implementing the Bank's policy but the large number of projects in the pipeline in sub-Saharan Africa posed a major challenge. Some of the mechanisms used to tackle the challenges were intensive bilateral dialogue with countries, intensive consultations with specific indigenous peoples' organizations and the use of the Bank's inspection panel.

54. During the ensuing discussion, it was pointed out that, in some countries, acceptance of the World Bank operational plan for indigenous peoples was used as a measure in applying certain ILO policies. Some participants expressed surprise that the Bank did not cover indigenous peoples who had migrated to towns since, in most cases, they had been forced to look for alternative employment.

55. The World Bank's senior management was considering aligning the Bank's policy of broad community support with the United Nations Declaration on the Rights of Indigenous Peoples, in particular, the provisions on informed consent. The two concepts did not differ in substance, although the latter was perhaps a more legal and technical requirement. In all project assessments, the Bank looked at a broad range of stakeholders and ensured that there was enough support before projects could proceed

56. It was pointed out that there had been a shift in the policy dialogue, as most countries were requesting social impact assessments in the context of the global economic crisis and were trying to tackle marginalization and the impacts on excluded groups, including indigenous peoples. Many indigenous peoples in urban areas were covered, for example, if they were forcibly moved by Governments; individual economic migrants were not covered, but they fell under the poverty assessment policy. The Bank also recognized the need for clear rules of engagement on land issues in the light of the massive appropriations currently taking place; land issues remained a serious challenge for the Bank and were currently under discussion.

Work by UNICEF on indigenous issues

57. UNICEF gave a presentation on a study published in April 2009 that took stock of the current work on indigenous issues and included a desk review, a good practice analysis, a country office survey and project ethnographies in Peru and the Congo. The study suggested that field experience and interaction with the Permanent Forum and other stakeholders had led UNICEF to develop a comprehensive approach to promoting and asserting the rights of indigenous children and women. That approach combined UNICEF's rights-based approach with interculturalism and was consistent with the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women and the United Nations Declaration on the Rights of Indigenous Peoples. The survey had been circulated to 59 country offices but, with the exception of Latin America, the response rate had been low. The survey had covered most UNICEF activities, giving examples of good practices, but had also revealed the constraints faced by UNICEF staff, such as limited funds and weak coordination with other United Nations agencies. Attention was drawn to the two case studies carried out in the Republic of the Congo and Peru. That comparative study showed that UNICEF needed to systematize its approach to indigenous issues, adapting it to different regional, national and local contexts; refine its understanding of indigenous cultures and societies; and strengthen collaborative links and synergies on indigenous issues with other United Nations organizations.

58. Questions were raised regarding the low figure of 2 per cent shown for the HIV/AIDS sector in the good practices table. UNICEF pointed out that most of its HIV/AIDS funding went to countries where it had a strong presence and not necessarily to large indigenous populations. In some countries, communities as a whole benefited from UNICEF work, including indigenous peoples. Furthermore, the survey reflected the responses provided by the country offices themselves and did not necessarily indicate whether those being helped were indigenous peoples.

59. Regarding the suggestion that local indigenous peoples in individual countries be given grants to enable them to become more involved in UNICEF programmes, UNICEF explained that its policy was to negotiate directly with Governments.

IFAD policy on engagement with indigenous peoples

60. The representative of IFAD gave a presentation on her organization's policy on engagement with indigenous peoples and expressed its gratitude to the Support Group members, the secretariat and members of the Permanent Forum and the indigenous peoples for their inputs. The IFAD policy aimed to enhance the effectiveness of the organization's development projects and activities with indigenous peoples and to set standards and provide guidance and tools. It drew upon experience on the ground, which had shown that the indigenous peoples' distinctiveness was their asset and their economic potential and should be built upon. Attention was drawn to policy instruments, such as the Indigenous Peoples' Assistance Facility and to the indigenous peoples' forum, which was currently under development. She described the process of elaborating the policy, which had been approved by the organization's Executive Board on 14 September 2009. The remaining challenge was to ensure thorough implementation. Training the organization's staff, strengthening cooperation with partners at the country level and operationalizing the principle of free, prior and informed consent were all key.

61. The Support Group congratulated IFAD on the adoption of its policy on engagement with indigenous peoples and asked whether IFAD sought to encourage support for its processes through legal instruments, such as the Convention for the Safeguarding of the Intangible Cultural Heritage. It was suggested that the indigenous peoples' forum currently under development might provide a good opportunity for engagement with partners. Stressing its importance in the implementation and evaluation of programmes, the Support Group asked IFAD to provide a practical example of where disaggregated data collection was possible.

62. The organization's original intention was to include information on the conventions ratified by each country and details on national policies in its technical notes. The specific circumstances of a country were key in the provision of technical advice on project design. While it was impossible to gather disaggregated data everywhere, it was easier at the project level than at the national level. Country strategic programmes, which were Government-owned, presented particular problems, as the organization could not impose the collection of disaggregated data. Official data were available in some countries, such as India, while, in others, specific studies and research were required to obtain the data. The targeting of IFAD projects was geographical and based on poverty data.

Policy guide to housing for indigenous peoples in cities

63. UN-Habitat gave a presentation on its publication *Housing Indigenous Peoples in Cities: policy guide to housing for indigenous peoples in cities*, which had been developed over a two-year period, with the generous support of the Government of Canada. The policy guide included input from the International Expert Group Meeting on Urban Indigenous Peoples and Migration held in Chile from 27 to 29 March 2007 and feedback from the seventh session of the Forum. Other organizations had

been invited to collaborate with the United Nations Housing Rights Programme on specific challenges faced by indigenous peoples in urban areas, in accordance with their respective mandates. The initiative had been presented at the seventh session of the Permanent Forum and at the fourth session of the World Urban Forum in Nanjing, China, and would be promoted at the fifth session of the World Urban Forum in Rio de Janeiro, Brazil, in March 2010. UN-Habitat would also launch a review of policies on indigenous peoples and migration to the cities at the fifth session, in conjunction with OHCHR. Policy guidelines for the organization's engagement with indigenous peoples were being elaborated for submission to UN-Habitat Member States, for their consideration.

Guidelines of the United Nations Environment Programme on indigenous peoples

64. The representative of UNEP informed the Support Group that UNEP had been working on drafting guidelines for engagement with indigenous peoples, as recommended by the Permanent Forum in 2006. A bottom-up approach had been adopted, with initial consultations with indigenous peoples' representatives. Comments from the representatives and UNEP colleagues had been considered and the draft was being revisited by UNEP senior management, to ensure that it was in line with the new programme of work and medium-term strategy. The document would soon be adopted by the senior management, to ensure a more systematic approach to activities related to indigenous peoples.

VII. Closure of the meeting

65. The Support Group meeting concluded with an impressive and inspiring report on the situation of African indigenous peoples; both indigenous peoples' representatives themselves and relevant African institutions had been invited to report on their work and their experiences.

66. The presence of the Resident Coordinator for Kenya at the Support Group meeting was highly appreciated and paved the way for future collaboration and the establishment of a mechanism and platform on indigenous peoples issues in Kenya for the country team.

67. The Support Group expressed sincere gratitude to UN-Habitat and UNEP for hosting the 2009 event and thanked the staff of UN-Habitat and UNEP for their warm welcome and efficiency.

VIII. Recommendations

A. Introduction

68. The Support Group thanked UNEP and UN-Habitat for having hosted the 2009 annual meeting.

69. It also thanked the Kenya National Commission on Human Rights, the African Commission on Human and Peoples' Rights, indigenous peoples' representatives

and non-governmental organizations and the country team in Kenya, who made presentations on the first day of the meeting and provided insight into the indigenous peoples' situation in Africa.

70. The Support Group congratulated IFAD on the recent approval of its new policy on engagement with indigenous peoples and reiterated its support for the policy's implementation. It further congratulated IFAD on having set a positive example for other intergovernmental organizations and international financial institutions.

B. General recommendations regarding the Support Group's work

71. A country-level task force on indigenous peoples' issues in Kenya, coordinated and supported by the country team, should be established to follow up the recommendations of the present report and liaise with the Group and the secretariat of the Permanent Forum on the possibility of organizing a training session on indigenous peoples' issues for the country team in Kenya.

72. The Permanent Forum secretariat needed to renew its efforts to strengthen participation in the Support Group, including the engagement of organizations by encouraging them to nominate official focal points for indigenous peoples' issues.

73. The Support Group welcomes the offer by WHO to engage with the Group and host its next annual meeting in 2010.

74. WHO is invited to cooperate closely with the Permanent Forum secretariat and the Support Group on preparing a draft agenda for the next annual meeting, which will be considered at the Support Group's meeting during the ninth session of the Permanent Forum.

75. A communication platform should be established to consider more effective methods of communication, information-sharing and coordination among the members of the Support Group. The platform could be extended, for regular communication and exchange of views, to the members of the Permanent Forum, the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, the Expert Mechanism on the Rights of Indigenous Peoples and country offices, among others.

76. In addition, modalities should be explored for establishing a mechanism or mechanisms for engagement and consultation with indigenous peoples at the national level, so that their participation in United Nations processes such as the formulation and implementation of common country assessments and United Nations Development Assistance Framework projects is guaranteed, while ensuring the necessary transparency and inclusion, in the light of their right to free, prior informed consent.

77. The recommendations addressed to the Support Group by the Permanent Forum should be followed up by the Group, in collaboration with the Permanent Forum secretariat.

78. Members of the Permanent Forum could further refine their portfolio, areas of expertise and focal point system, in order to enhance cooperation with organizations.

C. Recommendations on communication between the Inter-Agency Support Group and the United Nations Permanent Forum on Indigenous Issues and on the in-depth dialogues

79. In the light of the positive experience gained from the in-depth dialogues at the Permanent Forum's annual session in 2009, this exercise should continue. The number of organizations involved in such dialogues could be reduced to two or three relevant to the session's current theme, to avoid overloading and provide ample time for each dialogue, especially in view of enhancing the direct interaction of the organizations with indigenous peoples' representatives.

80. The in-depth dialogue could also be extended to two or three countries per session.

81. The Permanent Forum secretariat is invited to provide clearer guidance to the Support Group regarding how to prepare and structure the dialogue.

82. The Group proposes to include the recommendations to the United Nations organizations participating in the in-depth dialogue in the main report of the Forum session.

83. The opportunity to contribute to the mid-decade review is welcomed. The Permanent Forum secretariat is encouraged to design the end-of-decade review format well in advance, in an effort to harness synergies between the numerous reporting requirements placed on organizations and the anticipated monitoring and evaluation exercise to assess the implementation of the United Nations Declaration on the Rights of Indigenous Peoples.

84. Members of United Nations country teams or representatives from one or two countries involved in a United Nations Development Assistance Framework exercise could also be asked to participate in the Permanent Forum's in-depth dialogues. The country teams could be invited to explain the programming process, themes, priorities and other matters and to answer questions. Alternatively, Permanent Forum members could be invited to visit the country teams, in particular those involved in development assistance framework exercises, since the latter provide a good opportunity to consider new programming ideas.

D. Further recommendations

85. The Support Group recommends that its members collaborate with the working group of the African Commission on Human and Peoples' Rights at its November 2009 session, to further identify and explore strategies to promote the implementation of indigenous peoples' rights in the African region.

86. As a follow-up to the Permanent Forum's missions to Paraguay and the Plurinational State of Bolivia to assess the situation of the Guarani people, a plan of action on how to implement the recommendations in the mission reports should be developed. The plan of action would specify the contributions of the various United Nations organizations, as submitted by them. IFAD and FAO could compile the plan of action, based on inputs received, and submit it to the Permanent Forum secretariat prior to the Permanent Forum's ninth session.

87. Entry points, potential synergies and opportunities to mainstream indigenous peoples' issues in country programming should be identified. For instance, activities on indigenous peoples' issues could be undertaken within the framework of existing initiatives and projects, such as the Civil Society Democratic Governance Facility implemented by UNDP, the Global Environment Facility Small Grant Programme and others (e.g., conflict prevention).

88. The Permanent Forum secretariat is encouraged to disseminate information on the 2010 international years, namely, the International Year of Biodiversity and the International Year for the Rapprochement of Cultures, in order to promote the involvement of indigenous peoples' organizations in those activities.